

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

Case No: 3:18-cr-00577-CRB-1

Case Name: USA v. Michael Richard Lynch  
USA v. Stephen Keith Chamberlain

**TRIAL SHEET, EXHIBIT and WITNESS LIST**

<b>JUDGE:</b>	<b>PLAINTIFF ATTORNEY:</b>	<b>DEFENSE ATTORNEY:</b>
Charles R. Breyer	Adam Reeves, Kristina Green, Robert Leach, Zachary Abrahamson	Gary Lincenberg, Michael Landman, Ray Seilie (Chamberlain)  Christopher J. Morvillo Celeste Koeleveld Brian Heberlig Jonathan Baum Daniel Silver Michelle Levin (Lynch)
<b>TRIAL DATE:</b>	<b>REPORTER(S):</b>	<b>CLERK:</b>
May 13, 2024	Rhonda Aquilina Jennifer Coulthard	Lashanda Scott

<b>PLF NO.</b>	<b>DEF NO.</b>	<b>DATE/TIME OFFERED</b>	<b>ID</b>	<b>REC</b>	<b>DESCRIPTION</b>	<b>BY</b>
		9:19 a.m.			Judge cried-in. Court Reporter – Rhonda Aquilina. All parties present. Sealed proceeding.	
		9:26 a.m.			All jurors present. All parties present.	
		9:27 a.m.			Government witness sworn – <b>Andy Gersh</b>	
2011			X	X	Exhibit 2011 marked and admitted E-mail from Andrew Gersh to Richard Hanley, Rusty Thomas and James Boggs, Jr., dated July 23, 2011 regarding “HP”	
2038			X	X	Exhibit 2038 marked and admitted E-mail from Andrew Gersh to James Boggs, Jr., Alok Mahajan, Jason Anglin, Larke Frederickson, Rusty Thomas and Richard Hanley dated July 29, 2011 regarding “Project Atlantis”	
428			X		Exhibit 428 previously admitted	
1352			X		Exhibit 1352 previously admitted	
2053			X	X	Exhibit 2053 marked and admitted Email from GershA to BoggsJ et al re Tesla update	
2560			X	X	Exhibit 2560 marked and admitted E-mail from Andrew Gersh to Manish Sarin, Farhad	

					Merchant, James Boggs, Jr. and Larke Frederickson dated August 1, 2015 regarding "Scheduling calls"	
2077			X	X	Exhibit 2077 marked and admitted Email from HussainS to SarinM, Cc to KanterA re "RE: Tesla: Finance call on Monday"	
2070			X	X	Exhibit 2070 marked and admitted Email from S. Wokes to A. Gersh, et al., re "Project Daniel 1Room"	
2083			X	X	Exhibit 2083 marked and admitted E-mail from Manish Sarin to Manish Sarin, Andy Johnson, Emily Hsiao, Varoon Bhagat, Jeff Ricci, Rob Binns, John Blank, Allison Strathmeier, Matthew Smith, Matthew Kane, Steve Nessier and cc'd to Andrew Gersh and Farhad Merchant dated August 2, 2011 regarding "Tesla: daily finance call"	
2099			X	X	Exhibit 2099 marked and admitted E-mail from Manish Sarin to Manish Sarin, Andy Johnson, Emily Hsiao, Varoon Bhagat, Jeff Ricci, Rob Binns, John Blank, Allison Strathmeier, Matthew Smith, Matthew Kane, Jonathan Turner and cc'd to Andrew Gersh, Farhad Merchant, Richard Hanley, Timothy Lashua and Eric Smith, dated August 3, 2011 regarding "Tesla: daily finance call"	
2112			X	X	Exhibit 2112 marked and admitted Email from M. Sarin to A. Johnson, et al., re "Tesla: discuss financial model"	
2129			X		Exhibit 2129 previously admitted	
2134			X	X	Exhibit 2134 marked and admitted Email from A. Gersh to various recipients at HP, Cc to J. Boggs, Jr., R. Hanley & R. Thomas re "Status update"	
2146			X	X	Exhibit 2146 marked and admitted Email from SarinM to HussainS, Cc to KanterA re "Tesla: request for financial information"	
2167			X	X	Exhibit 2167 marked and admitted Email from T. Lashua to A. Gersh, Cc to various recipients at KPMG re "Project Tesla - Revenue Contract Review"	
2183			X	X	Exhibit 2183 marked and admitted E-mail from Andrew Gersh to Varoon Bhagat, dated August 8, 2011 regarding Project Tesla – Contract Review Questionsv2.docx"	
2626			X	X	Exhibit 2626 marked and admitted Top 40 Customers	
2627			X	X	Exhibit 2627 marked and admitted Top 40 Customers	
963			X		Exhibit 963 previously admitted	
973			X		Exhibit 973 previously admitted	

1382			X	X	Exhibit 1382 marked and admitted Purchase order from Tikit to Autonomy	
1361			X		Exhibit 1361 previously admitted	
1345			X		Exhibit 1345 marked and admitted	
		10:44 a.m.			Jurors on break. Counsel discussed testimony of Mr. Gersh. Court in recess	
		11:02 a.m.			Court reconvened. Court Reporter – Rhonda Aquilina. All jurors present. All parties present. Government direct-examination of witness Andy Gersh	
1272			X		Exhibit 1272 previously admitted	
607			X	X	Exhibit 607 marked and admitted Email from KuH to WatkinsC and GuiaoJ re NADO391972,MorganStanley,AN-ORD-EID . . . (\$5,288,800.00 deal)	
2561			X	X	Exhibit 2561 marked and admitted Product Schedule with Autonomy to the Master Agreement	
1041			X	X	Exhibit 1041 marked and admitted Purchase Order #009, dated August 10, 2010	
1912			X		Exhibit 1912 previously admitted	
2134			X		Exhibit 2134 previously admitted	
2215			X	X	Exhibit 2215 marked and admitted E-mail from Andrew Gersh to Allison Strathmeier, et al. and cc'd to Rusty Thomas, et al., dated August 10, 2011 regarding “FW Project Tesla – draft report”	
1352			X		Exhibit 1352 previously admitted	
2215			X		Exhibit 2215 previously admitted	
		11:27 a.m.			Defense (Lynch) cross-examination of witness Andy Gersh	
2011			X		Exhibit 2011 previously admitted	
2038			X		Exhibit 2038 previously admitted	
2215			X		Exhibit 2215 previously admitted	
2110			X	X	Exhibit 2110 marked and admitted Statement of Work Template for Due Diligence Assistance Services	
		12:03 p.m.			Jurors on break. Discussion re witness testimony/defense counsel inquiry re due diligence.	
		12:14 p.m.			Court adjourned	
		12:50 p.m.			Court reconvened. Court Reporter – Jennifer Coulthard. Jurors not present. All parties present. Discussion re Mr. Brice testimony.	

		1:02 p.m.			All jurors present. Defense (Lynch) cross-examination of witness of Andy Gersh	
1352		X			Exhibit 1352 previously admitted	
428		X			Exhibit 428 previously admitted	
1531		X			Exhibit 1531 previously admitted	
661		X			Exhibit 661 previously admitted	
4751		X	X		Exhibit 4751 marked and admitted Revenue recognition questions	
4752		X	X		Exhibit 4752 marked and admitted Project Tesla - Contract Review Questions.docx	
1041		X			Exhibit 1041 previously admitted	
4238		X	X		Exhibit 4238 marked and admitted 6517.pdf	
2083		X			Exhibit 2083 previously admitted	
4850		X	X		Exhibit 4850 marked and admitted Status update	
4851		X	X		Exhibit 4851 marked and admitted Tesla - due diligence status August 3, 2011.docx	
1382		X			Exhibit 1382 previously admitted	
2167		X			Exhibit 2167 previously admitted	
661		X			Exhibit 661 previously admitted	
2249		X	X		Exhibit 2249 marked and admitted Email from A. Gersh to M. Sarin, J. Boggs, V. Bhagat, E. Hisao, A. Johnson re "Project Tesla – auditor quest.docx"	
6753		X			Exhibit 6753 previously admitted	
7471		X			Court reconvened. Court Reporter – Jennifer Coulthard. All jurors present. All parties present. Defense (Lynch) cross-examination of witness Andy Gersh. Exhibit 7471 previously admitted	
7471.1		X	X		Exhibit 7471.1 marked and admitted	
4870		X			Exhibit 4870 previously admitted	
7471.1		X			Exhibit 747.1 previously admitted	
8286.2		X	X		Exhibit 8286.2 marked and admitted Attachment to 6/22/2012 GershA email: "OEM ANALYSIS.doc.pdf"	
7471.1		X			Exhibit 7471.1 previously admitted	
	3:24 p.m.				Defense (Chamberlain) cross-examination of witness Andy Gersh	
2053		X			Exhibit 2053 previously admitted	
2560		X			Exhibit 2560 previously admitted	
2083		X			Exhibit 2083 previously admitted	
2134		X			Exhibit 2134 previously admitted	

	6753		X		Exhibit 6753 previously admitted	
	2066		X		Exhibit 2066 previously admitted	
	2067		X	X	Exhibit 2067 marked and admitted E-mail from Sushovan Hussain to Stephen Chamberlain, dated August 1, 2011 regarding "Top Customers"	
	2075		X	X	Exhibit 2075 marked and admitted Email from HussainS to ChamberlainS, KanterA & LynchM re "RE: Top Customers"	
		3:46 p.m.			Government re-direct of witness Andy Gersh	
	1352		X		Exhibit 1352 previously admitted	
		3:50 p.m.			Witness excused. Jurors excused until May 14, 2024 at 9:15 a.m. Defense request to exclude all testimony re VSOE issue. Discussion re Mr. Brice's testimony. Court adjourned until May 14, 2024 at 9:15 a.m.	
		4:50 p.m.				